

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US2004/025592

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61K31/138 A61K31/5375 A61K31/4468 A61K31/538 A61K31/5415
A61K31/40 A61K31/4025 A61K31/445 A61K31/439 A61P25/00
A61P25/28

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61K A61P

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, CHEM ABS Data, BIOSIS, EMBASE, SCISEARCH, WPI Data, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

| Category * | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
|------------|---|-----------------------|
| X | STAHL STEPHEN M: "Neurotransmission of cognition, part 2. Selective NRIs are smart drugs: exploiting regionally selective actions on both dopamine and norepinephrine to enhance cognition." THE JOURNAL OF CLINICAL PSYCHIATRY. FEB 2003, vol. 64, no. 2, February 2003 (2003-02), pages 110-111, XP008038406 ISSN: 0160-6689 the whole document | 1-6 |
| X | WO 02/078629 A (DAVIS MICHAEL ; LU KWOK-TUNG (US); RESSLER KERRY J (US); UNIV EMORY (U) 10 October 2002 (2002-10-10) abstract page 3, line 15 - line 21 page 6, line 25 - line 30; claims 1,4-6 | 1-6 |
| | - / - - | |

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "&" document member of the same patent family

Date of the actual completion of the international search

12 November 2004

Date of mailing of the international search report

- 7. 04. 2005

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| C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT | | |
|--|---|-----------------------|
| Category * | Citation of document, with indication, where appropriate, of the relevant passages | Relevant to claim No. |
| X | WO 03/049724 A (YANG CHARLES RENKIN ; LILLY CO ELI (US); BYMASTER FRANKLIN PORTER (US)) 19 June 2003 (2003-06-19) the whole document ----- | 1-6 |
| X | WO 02/053140 A (PHARMACIA AB ; SVENSSON TORGNY (SE); WONG ERIK HO FONG (US); UPJOHN CO) 11 July 2002 (2002-07-11) abstract page 2, line 25 - line 31 page 8, line 22 - line 31 page 14, line 30 - page 15, line 10 ----- | 1-6 |
| A | EP 0 721 777 A (LILLY CO ELI) 17 July 1996 (1996-07-17) the whole document ----- | 1-6 |
| A | DE 102 44 537 A (GERLOFF CHRISTIAN ; PLEWNIA CHRISTIAN (DE)) 10 April 2003 (2003-04-10) the whole document ----- | 1-6 |
| A | WO 02/053104 A (EPSTEIN MEL H ; SENTION INC (US); WIIG KJESTEN A (US)) 11 July 2002 (2002-07-11) abstract; claims; examples ----- | 1-6 |

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Information on patent family members

International Application No

PCT/US2004/025592

| Patent document cited in search report | | Publication date | Patent family member(s) | Publication date |
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| WO 02078629 | A | 10-10-2002 | CA 2442330 A1 EP 1383465 A2 JP 2004530666 T WO 02078629 A2 US 2004208923 A1 | 10-10-2002 28-01-2004 07-10-2004 10-10-2002 21-10-2004 |
| WO 03049724 | A | 19-06-2003 | AU 2002352625 A1 BR 0213581 A CA 2467802 A1 CZ 20040709 A3 EP 1458368 A1 HR 20040528 A2 SK 2442004 A3 WO 03049724 A1 US 2005009925 A1 | 23-06-2003 24-08-2004 19-06-2003 13-10-2004 22-09-2004 31-10-2004 01-12-2004 19-06-2003 13-01-2005 |
| WO 02053140 | A | 11-07-2002 | CA 2431041 A1 EP 1353675 A2 JP 2004517112 T WO 02053140 A2 US 2002156067 A1 | 11-07-2002 22-10-2003 10-06-2004 11-07-2002 24-10-2002 |
| EP 0721777 | A | 17-07-1996 | US 5658590 A AT 222757 T AU 688665 B2 AU 4693896 A BR 9606903 A CA 2209735 A1 CN 1168095 A CZ 9702145 A3 DE 69623141 D1 DE 69623141 T2 DK 721777 T3 EP 0721777 A2 ES 2181845 T3 FI 972922 A HU 9801283 A2 JP 10512262 T NO 973170 A NZ 301500 A PL 321273 A1 PT 721777 T RO 118374 B1 RU 2163802 C2 SI 721777 T1 TR 9700627 T1 WO 9621430 A1 | 19-08-1997 15-09-2002 12-03-1998 31-07-1996 21-10-1997 18-07-1996 17-12-1997 14-01-1998 02-10-2002 24-04-2003 07-10-2002 17-07-1996 01-03-2003 09-07-1997 28-06-1999 24-11-1998 02-09-1997 28-07-2000 24-11-1997 29-11-2002 30-05-2003 10-03-2001 28-02-2003 21-01-1998 18-07-1996 |
| DE 10244537 | A | 10-04-2003 | DE 10244537 A1 | 10-04-2003 |
| WO 02053104 | A | 11-07-2002 | WO 02053104 A2 US 2002161002 A1 | 11-07-2002 31-10-2002 |

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Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☒ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
Although claims 1,3-6 are directed to a method of treatment of the human/animal body, the search has been carried out and based on the alleged effects of the compound/composition.
2. ☐ Claims Nos.:
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

see additional sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:
1-6 (all partially)

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
☐ No protest accompanied the payment of additional search fees.

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. claims: 1-6 (all partially)

Use of atomoxetine or a compound of formula (I) for treating a learning disability

2. claims: 1-5 (all partially)

Use of racemic reboxetine or (S,S) reboxetine for treating a learning disability

3. claims: 1-5 (all partially)

Use of a compound of formula (IA) for treating a learning disability

4. claims: 1-5 (all partially)

Use of a compound of formula (IB),(IC) or (IG) for treating a learning disability

5. claims: 1-5 (all partially)

Use of a compound of formula (ID) for treating a learning disability

6. claims: 1-5 (all partially)

Use of a compound of formula (IE) for treating a learning disability

7. claims: 1-5 (all partially)

Use of a compound of formula (IF) for treating a learning disability

8. claims: 1,2,6 (all partially)

Use of atomoxetine or a compound of formula (I) for treating a Motor Skills Disorder

9. claims: 1,2 (all partially)

Use of racemic reboxetine or (S,S) reboxetine for treating a Motor Skills Disorder

10. claims: 1,2 (all partially)

Use of a compound of formula (IA) for treating a Motor Skills Disorder

11. claims: 1,2 (all partially)

Use of a compound of formula (IB),(IC),(IG) for treating a Motor Skills Disorder

12. claims: 1,2 (all partially)

Use of a compound of formula (ID) for treating a Motor Skills Disorder

13. claims: 1,2 (all partially)

Use of a compound of formula (IE) for treating a Motor Skills Disorder

14. claims: 1,2 (all partially)

Use of a compound of formula (IF) for treating a Motor Skills Disorder
